

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Timothy Titus,**

**Petitioner,**

**v.**

**Warden, Southern Ohio  
Correctional Facility,**

**Respondent.**

**Case No. 2:24-cv-2641**

**Judge Michael H. Watson**


**Magistrate Judge Litkovitz**

**ORDER**

Petitioner filed a petition for a writ of habeas corpus but failed to either pay the \$5.00 filing fee or to move for leave to proceed in forma pauperis. See ECF No. 1. The Magistrate Judge issued a deficiency order, requiring Petitioner to either pay the filing fee or move for leave to proceed in forma pauperis. ECF No. 5. The Order advised Petitioner that a failure to comply would result in the dismissal of his petition for failure to prosecute. *Id.* Nonetheless, Petitioner failed to respond to the Order. Accordingly, the Magistrate Judge then issued a Report and Recommendation ("R&R") recommending the Court dismiss Petitioner's petition for failure to prosecute. Again, Petitioner was given fourteen days to object to the R&R's recommendation and argue why his petition should not be dismissed for failure to prosecute. R&R, ECF No. 6. Petitioner again failed to respond to the R&R. But, in the interim, he did file another petition for writ of habeas corpus in this Court. See Case No. 2:24-cv-3689.

Given Petitioner's repeated failures to engage with this case, including his failure to object to the R&R (which forfeits his right to de novo review of the same and the right to appeal adoption of the same), the Court **ADOPTS** the R&R and dismisses this case **WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

  
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**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**